

MIKE W. MAKEROV, P.G. Manager Environmental Remediation

BNSF Railway Company

740 East Carnegie Drive San Bernardino, CA 92408-3571

Telephone: (909) 386-4081 Fax: (909) 386-4087

E-mail: Mike.Makerov@BNSF.com

July 11, 2019

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

Re

Ex. 6 Personal Privacy (PP)

Haystack Mines Site, McKinley County, New Mexico

Dear Ex. 6 Personal Privacy (PP)

BNSF Railway Company (BNSF) is providing this [Ex. 6 Personal Privacy (PP)] Offer Package (Package) for consideration by the [Ex. 6 Personal Privacy (PP)] currently residing on Section 18 at the Haystack Mines Site in McKinley County, New Mexico. Details regarding BNSF's offer for new mobile homes and the relocation of your families are provided below.

BNSF understands that you have been communicating with the U.S. Environmental Protection Agency (USEPA) and Vivian Craig of the Navajo Nation Environmental Protection Agency (NNEPA) regarding various options proposed by BNSF, and that you shared your preference for the location of the new mobile homes with Ms. Craig. This Package offer is intended to fulfill your expressed preference. We are copying Ms. Craig on this proposal. We welcome and anticipate that you will be consulting Ms. Craig and any other legal or technical representatives you have engaged in this matter to discuss this Package offer.

If you find this Package acceptable, please sign and date at the bottom of this letter agreement, and sign the attached Appendix 2 Settlement and Release Agreement. Please indicate your agreement and acceptance by returning this letter agreement and the signed Appendix 2 Settlement and Release Agreement to me at the address listed below.

Ex. 6 Personal Privacy (PP)

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Ex. 6 Personal Privacy (PP)

July 11, 2019

BNSF offers the following Package to provide a mobile home for each household, subject to the following terms and conditions:

- Each household has selected a new home site located within the allotment lands of Section 18 as identified by BNSF on Figure 1².
 - O As stated above, we understand you have indicated your preference to the USEPA and NNEPA. To support the ultimate decision of the Ex. 6 Personal Privacy (PP) with regards to moving to their new home site location, BNSF's technical consultant Arcadis will conduct cultural resources and biological surveys at the location selected by the Ex. 6 Personal Privacy (PP) Family and provide data and figures to the family, the USEPA, and the NNEPA for review.
- Once this Package is accepted by both households, the Settlement and Release Agreement is signed by both households, and the households have selected an available home site, BNSF will purchase a new mobile home for each household (two in total).
 - O The mobile home choices are summarized in Table 1; and available photographs, brochures, and floor plans are included as Attachment 1. Both mobile home choices consist of three bedrooms and two bathrooms, and range in size from approximately 924 to 1,064 square feet.
- BNSF will also provide the following as part of this Package:
 - O Delivery and set up of the selected mobile home(s) on the new home site;
 - o BNSF assistance for obtaining required Bureau of Indian Affairs (BIA), local permits, and, assuming nearby utility connections, for facilitating your installation of the following utilities:
 - Electric, water, and septic system, but BNSF's assistance for these utilities is conditioned upon (1) access to approved electrical and water tie-ins at the new home site that are no further in distance away than such tie-ins at the current home site, and (2) a septic system can be installed adjacent to the new home site at reasonable cost and expense;
 - Disposal of the two existing trailers; and,
 - Grading of an access road to the new home site parcel.
- This Package offer is contingent on two conditions: (1) both households must sign and agree to this Package and the Settlement Agreement and Release, and (2) both

² BNSF will also consider locations proposed by a household, but the locations must be similar in nature to those identified by BNSF with respect to available access and utilities.

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Ex. 6 Personal Privacy (PP)

households must agree to permanently relocate from the existing home site to the new home site selected by the households.

• Additionally, if either household is required to temporarily relocate as a direct result of removal activities at the Haystack Mines Site before the new home site and mobile homes are ready and available for permanent habitation, BNSF will provide a one-time payment of \$3,750 to that household for temporary relocation expenses.

Amenities Not Included in this Package:

The following will NOT be provided by BNSF as part of this Package:

- Moving services to transport the possessions of either Ex. 6 Personal Privacy (PP) from the existing trailers to the new mobile homes;
- Landscaping of the new home site;
- Future maintenance and repair of the new mobile homes and associated utilities provided following the move;
- Future maintenance or repair of the access road to the new home site;
- Medical, security, or legal services to either Ex. 6 Personal Privacy (PP) in relation to the move and/or temporary relocation; and,
- Any other amenity, expense, or contingency not expressly included in these Package options.

Following your relocation, any personal property remaining on the current Section 18 home site will be disposed of or otherwise removed by BNSF, excluding any hazardous materials (e.g., paint, chemicals, etc.).

If you should have any questions, please do not hesitate to contact me.

Sincerely,

Mike W. Makerov, P.G.

740 E. Carnegie Drive

San Bernardino, CA 92408

Malar Millera I

Mike.Makerov@BNSF.com

Ex. 6 Personal Privacy (PP)

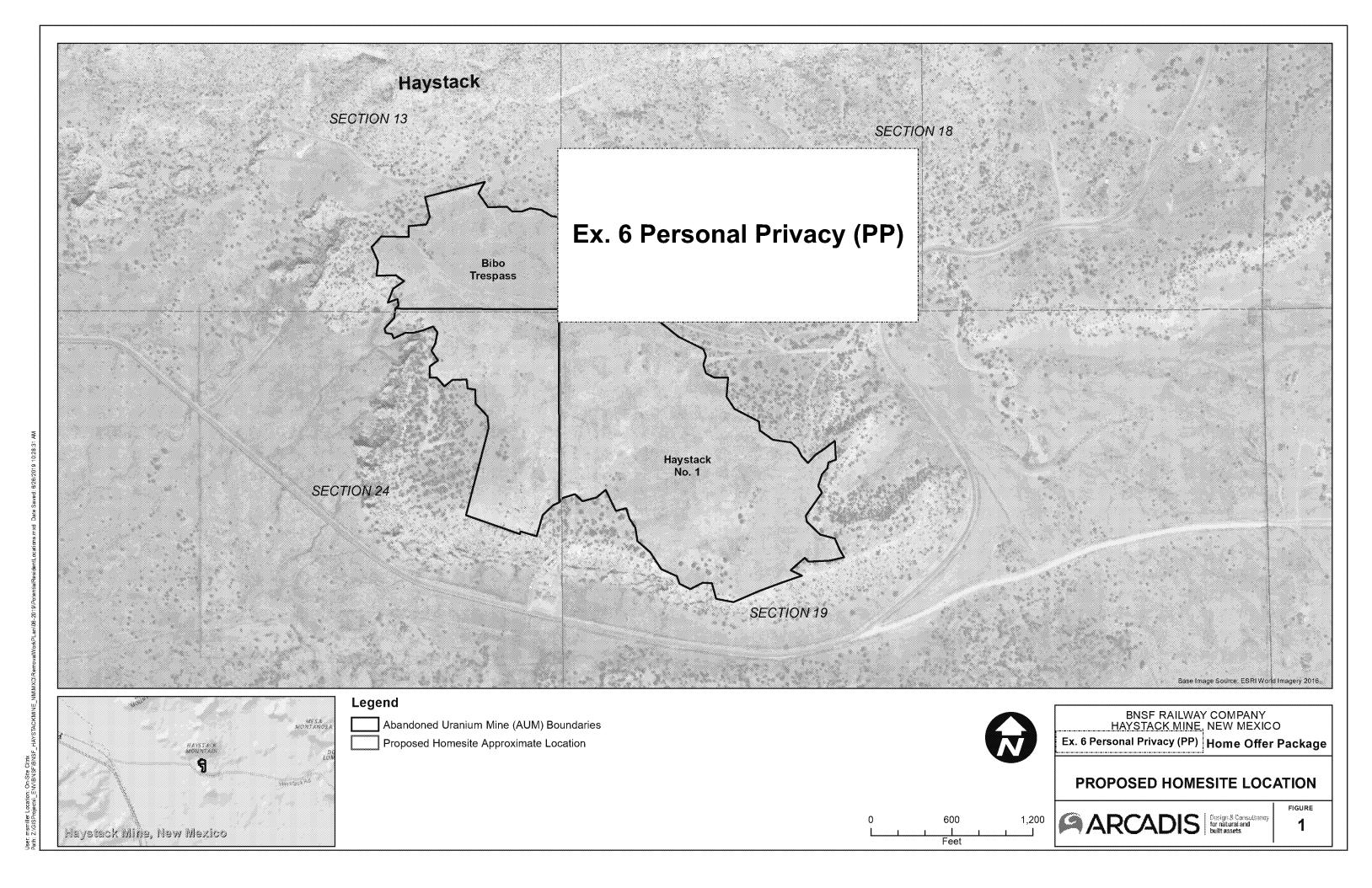
Copies:	Steve Calanog and Warren Zehne Vivian Craig – NNEPA Allen Stegman and Charles Thom Martina Schlauch Jones and Mah	as– BNSF
Enclosur Figur 1 Table 1 Attac 1 2	e Proposed Homesite Location Summary of Mobile Home Optio hments	e Photographs, Brochures, and Floor Plans
	Package, offered by BNSF Railwated and agreed to by: By: [Ex. 6 Personal Privacy (PP)]	ny Company on July 11, 2019, is hereby Date
	By: Ex. 6 Personal Privacy (PP)	Date

Date

By:

Ex. 6 Personal Privacy (PP)

FIGURE



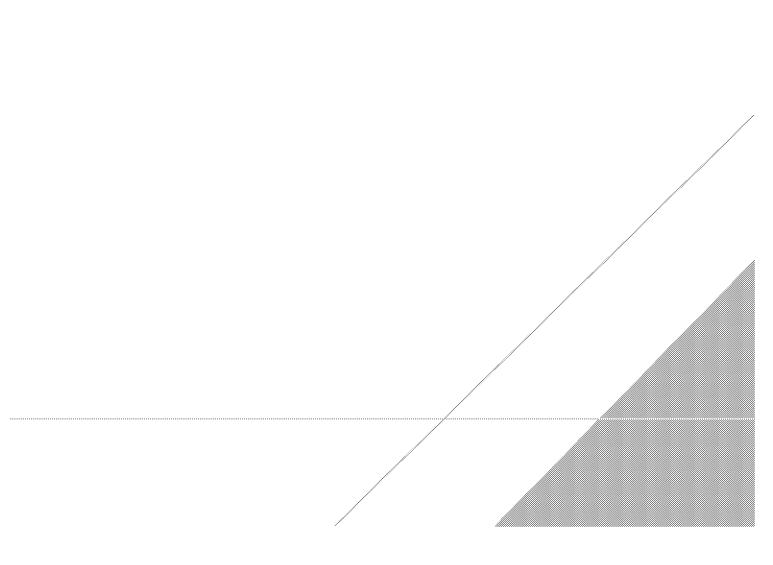
TABLE

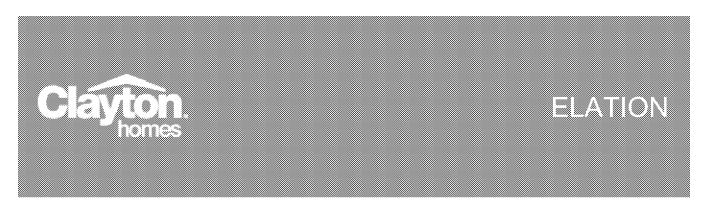
Table 1 Summary of Mobile Home Options Haystack Sines Sits ScKinsey County, New Maxico

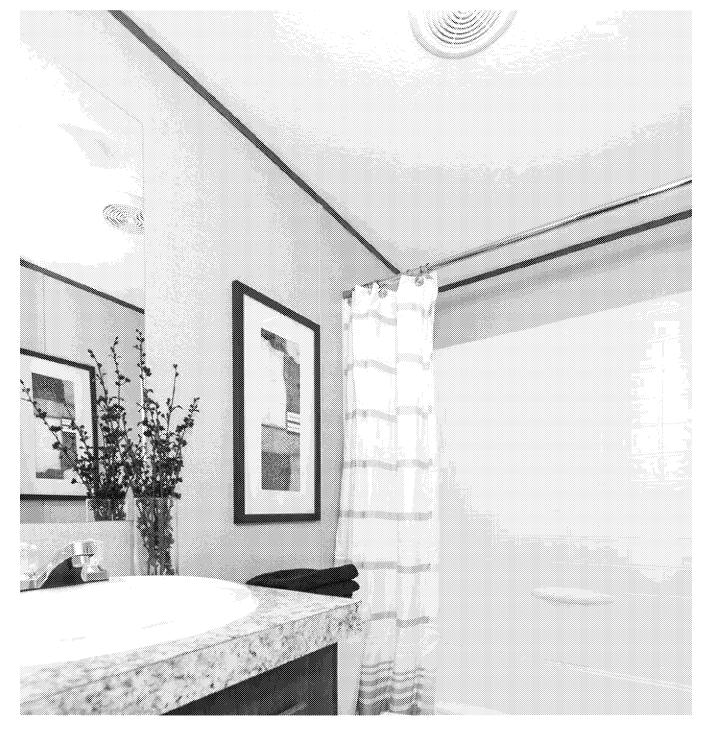
		4.4					Total Control	tera e como estado	Section Materials	No.	
Clayton F	Clayton Home of Callun	Elation	3	2	14' x 66'	924	1110 N. Hwy 491, Gallup, NM 87301	 arianne.bowman@claytonhomes.com	http://www.claytonofgallup.com/	Delivery, set-up, and skirting included within a 100 miles	1
	naytori nome or Gallup	Exhilaration	3	2	14' x 76'	1,064					

ATTACHVENT 1 Mobile Home Options – Available Photographs, Brochures, and Floor

Plans









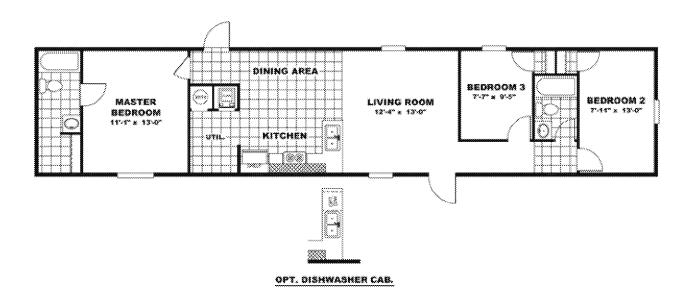






ELATION Model number: 97TRU14663AH18

3 beds • 2 baths • 924 sq.ft. • 14' width • 66' depth



Our home building facilities invest in continuous product and process improvements. Plans, dimensions, features, materials, specifications and availability are subject to change without notice or obligation. Renderings and floor plans are representative likenesses of our homes and may differ from the actual homes. We invite you to tour a Home Center near you and inspect the highest value in quality housing available or call (505) 863-6022 to speak with a Home Consultant. Copyright 2017, CMH. All rights reserved.

ODAYTON HOMESTCALLUS

EARLUS (N. 1975)

Monday - Thursday: 9am - 7pm Friday: 9am - 6pm Saturday: 9am - 5pm Sunday: Closed



SINGLE SECTION Standard Specs & Options

GENERAL

- HUD Code
- 20 lb. Roof Load Std., 30 psf optional
- Thermal Zone I Std., zones II and III optional
- Wind Zone I Std., zones II and III optional

FRAME

- I Beam: 12" or 10" model specific
- Outriggers: 96" spacing
- Crossmembers: 96" spacing
- Header: (Front/Rear) Flush, not recessed
- Axles: Spread (no equalizers) overslung mounted
- Brake Axles: One, except where more are mandatory by state DOT
- Hitch Beam: 8" Detachable Hitch

FLOOR

- Joists: 2x6 / 19.2" O.C.
- Carpet: Factory Select
- Carpet Bar: None
- Pad: 3.5 lb. (minimum) Rebond Pad
- Vinyl: Factory Select
- Decking: 19/32" 4x8 OSB T&G

EXTERIOR (7'-0" SIDEWALLS, 7'-0" ENDWALLS)

- Vinyl Siding: Standard
- Sheathing: WZ I Foam standard, plant specific brand.
- House Wrap: Over OSB (where used)
- Shutters: None

WINDOWS AND DOORS

- Front door: Out swing 34" x 76" blank, no storm
- Rear door: Out swing 34" x 76" blank, no storm
- Interior doors: Factory Select
- Windows: Metal single glaze, size per prints

ROOF / CEILING

- Shingles: 20 year
- Trusses: 24" O.C. spacing
- Sheathing: 7/16" OSB
- Insulation: Blown Cellulose
- Ceiling: Textured
- Ceiling Slope: Vault/Flat Ceiling
- Attic Ventilation: Static & Ridge Vents

PLUMBING

- Water Heater: 30 gallon electric
- Kitchen Sink: Stainless Steel, dbl bowl
- Lavatory Sinks: Plastic
- Faucets: Plastic
- Master Bath: 54 ABS Plastic Tub
- Hall Bath: 54 ABS Plastic Tub
- Whole House Water Shut Off

HVAC

- Heat: Electric (gas optional)
- Ductwork: Metal duct
- Thermostat: 8 Wire

ELECTRICAL

- Load Center: 200 amp
- (100 amp allowed when gas option ordered gas range and gas furnace)
- Exterior Receptacles and Switches: (1) GFI recept and cover
- Interior Receptacles and Switches: White, self contained
- Phone Jack(s): None
- AC: Conduit

WALLS

- Exterior Wall Construction: 2x4, 16" O.C. spacing
- Ext. Wall Height Sidewall 7'-0", Endwall 7'-0" (combo vault/flat ceiling, per prints)
- Interior Wall Construction: 2x3, 24" O.C. spacing
- Wall Coverings: 3/8" minimum VOG or paper on gyp
- Wall Coverage at Closets: 3/8" gyp, raw

INTERIOR FEATURES

- Cabinets: MDF
- Countertops (All): Formica
- Backsplash: None
- Closet Shelving: Closet Maid vinyl wrapped metal
- Utility Shelving: None
- Refrigerator: 18 CF
- Range: Electric
- Range Hood: 30", 100 cfm min, vent through sidewall
- Valance on LR windows only. No mini blinds

COLOR SCHEME - Factory Select

THERMAL (INSULATION AND WINDOW SPECS)

- Zone I (standard) Windows: Metal (mil finish), single pane (no storm), Floor: R-11 Wall: R-11 Roof: R-11
- Zone II (optional) Windows: Metal (mil finish) single pane w/ storm, Floor: R-11 Wall: R-11 Roof: R-14
- Zone III (optional) Windows: Metal (mil finish) single pane w/ storm, Floor: R-22 Wall: R-11 Roof: R-28

OPTIONS AVAILABLE

- 1. Dishwasher
- 2. House Type Door w/ storm (Front)
- 3. House Type Door w/ storm (Rear)
- 4. Wire & Brace for Ceiling Fan, L/R only
- 5. Thermal Zone II
- 6. Thermal Zone III
- 7. Wind Zone II, includes OSB
- 8. Wind Zone III, includes OSB and 16" O.C. Trusses
- 9. Thermal Pane Low E Vinyl Windows (available for Thermal Zone III only)
- 10. Ice Dam Protection
- 11. Gas Option: Range and Furnace only (100 or 200 amp)
- 12. 30# roof load, 16" O.C. Trusses
- 13. OSB Wrap
- 14. Shutters (Front Door Side & Hitch End)
- 15. Energy Star (Select Regions)

TRU Texas

What makes the Energy Smart Home SO SMART?

LOW E WINDOWS

Low emissive windows filter out UV rays and help keep heat in during the cooler months and keep heat out during the warmer months.

R88/R117/R22 INSULATION

An Energy Smart 3-1-2 ratio of Ceiling/Waits/Finor insulation keeps your home well insulated during all seasons.

PROGRAMMABLE THERMOSTAT

Save additional dollars setting your desired temperature throughout the day: locking in the savings when you're away from your home.

ENERGY EFFICIENT LIGHT BULBS"

Energy efficient light builts typically use 25% -80% less energy and last much longer than standard incandescent builts.

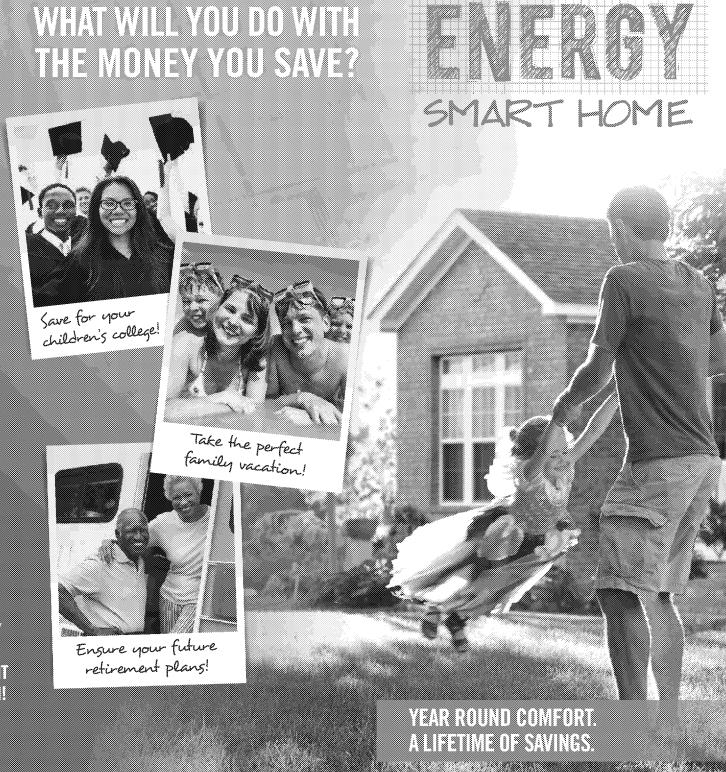
SEALED DUCT WORK

Located either in the ceiling or subfloor, sealed duct work increases heating and cooling efficiency ensuring a comfortable temperature in the home year round.

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Thicker sidewalls help our water heaters maintain the water temperatures longer cutting down the amount of energy they use each day.

PLUS...THERMO MATE-LINE GASKET, AIR-TIGHT CONSTRUCTION & IMPROVED AIR FILTRATION!



Service of the servic

Gustomers around the country love their



"The Energy Smart package has helped save tremendously on utility bills! It feels good to see electric bills [less than before] and that our home stays at a temp that is comfortable for us with ease."

— David B., Corbin, KY

"We bought the largest home available due to the fact we have four children. We previously lived

in a two bedroom stick built home. Our electric bill is lower with our new home and it is more than twice the size of our previous home... Thank you for the savings."

– Leslie H., Belfry, KY

"We love our new home. The energy savings are amazing."

- Daniel & Jacqueline G., Candler, NC

"Not worrying about unexpected heating and cooling cost has been a very relieving experience, especially since this was my first time buying a home."

-- Michael M., Greensboro. NC

"I love my new home — special ordered it with Energy Smart!"

— Bonnie C., New Iberia, LA.

"I really enjoy my new home and saving money on my bills allows me to spend more money towards my family."

- Brittany C., Spaiding County, GA

"We LOVE our new Energy Smart Clayton
Home. Not only is it very beautiful, it's very
efficient and we have noticed the biggest difference
in our electricity bill."

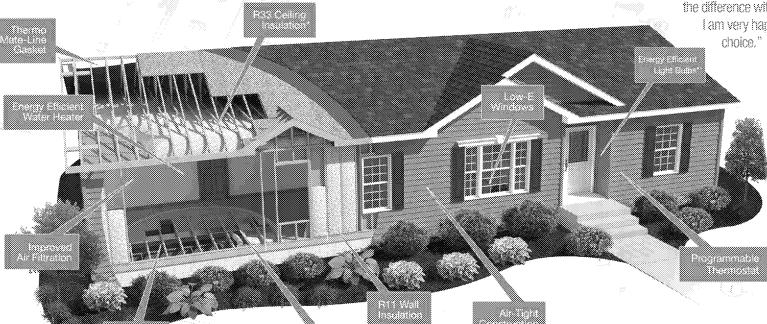
— Nicole P., Madisonville, KY

"I have been impressed with the Energy Smart package.
Having lived in mobile homes most of my life I could tell
the difference within the first week.
I am very happy I made this

choice." - Paul M., Houston, TX

"We have been impressed with the amount of money we are actually spending versus what we thought it would be from past experiences in other homes."

- G. H., Henderson, NC



"We pay less for electricity, less on water bill, we get to go out to dinner together more often and we get to buy things that we want more often. We love our new home."

— Martha S., Greer, SC.

"It has helped us save a lot of money." — Kathy N., Albertville, AL

"This is a great investment and we are enjoying every day in our new home. With money we have saved we are able to do more adventurous activities with our family." — Patricia R., Tallahassee, FL

"I have been happy with lower utility bills." -- Vivian S., Neosho, MO

Thermo Mate-Line Gasket

- The mate-line gasket is installed all the way around the ceiling, end walls and floor to protect the entire conditioned space from air infiltration and moisture
- Regardless of how tight the final setup of your home is, the Mate-Line gasket will do its job because its designed to work from its original thickness of 1 ½" down to a fully compressed width of about ¾"

• Other home installers typically stuff insulation or carpet padding in the marriage line opening which won't do any good against air infiltration as it is not designed to be compressed

Air-Tight Construction

- Air-tight construction is always a top priority in all homes we build
- Joints are sealed where walls, floors, and roofs come together
- Sealed Door and window openings reduce air infiltration and dust that can enter the home from the outdoor air
- Helps to eliminate drafts which boosts comfort while lowering energy and maintenance costs



Sealed Duct Work

- Ducts are tested for expensive leakage using state-of-the-art duct blaster equipment, sealed ducts can increase heating and cooling efficiency up to 20% compared to unsealed duct work
- Consistent air flow keeps all rooms at a comfortable temperature year round
- Sealed ducts prevent condensation, keeping unwanted moisture out of the subfloor area

Energy Efficient Hot Water Heater

- This thicker side wall water heater has a higher insulation value, so it will retain more heat and use less energy
- The Dept. of Energy estimates this type of water heater will decrease energy usage in large electric water heaters by 47% and 30% in gas water heaters
- Residential water heating is often the 2nd largest energy use in the home and can account for up to 20% of overall energy consumption



Our new Energy Smart Home takes energy efficiency to a whole new level. Energy Smart Homes include these additional features:

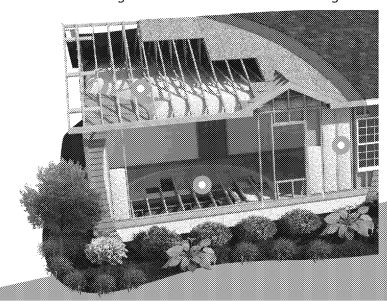
Improved Air Filtration



- The "A Coil" housing increases return air efficiency reducing the possibility of a system freeze up
- Easy to replace air filters keep the heating and cooling system running more efficiently
- Breathe cleaner, fresher air using the type of air filters that fit your family best

R33/11/22 Insulation

- An Energy Smart 3-1-2 ratio of Ceiling/Wall/Floor insulation keeps the home well insulated for all seasons
- For comparisons; typically an upgraded home has 21-11-11, or a 2-1-1 ratio of insulation. A basic, non-upgraded home starts at 14-11-11 or a 1.4-1-1 ratio
- Ceiling insulation is blown in so it covers every nook and cranny of the attic space
- Batt insulation is installed in walls so it stays tight and doesn't slip down in the wall cavity and rolled insulation is used under the subfloor
- Note: Vaulted Ceiling models will have R30 in the ceiling



CFL Light Bulbs

- Saves \$30-\$80 in electricity over the life of the bulb vs an incandescent bulb
- Uses up to 70% less energy than regular bulbs
- Lasts up to 10 to 20 times longer than regular bulbs
- Note: Some fixtures will not accept CFL bulbs, some examples are ceiling fans and appliances

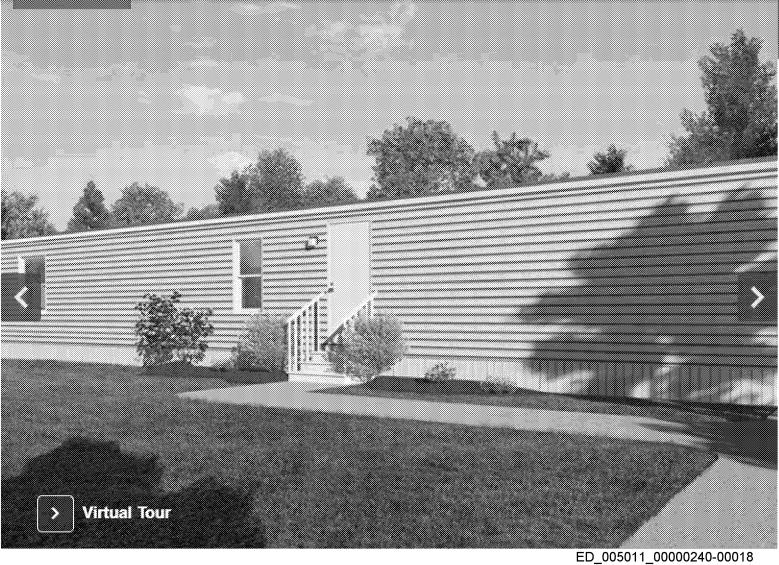


Low-E Windows

- Low-E (or Low Emissive) windows can reduce up to 58% of solar heat in the summer by blocking UV rays from entering the home
- Low E windows are treated with an invisible metallic oxide coating creating a surface that reflects heat, while allowing light to pass through
- Less UV rays also means less fading of fabrics, floor coverings and furniture and reduces the work load of heating and cooling systems
- In the winter, Low-E glass reduces the amount of heat lost through your windows from inside the home

Programmable Thermostat

- Save up to \$180/yr and increase the comfort for your family as you schedule the temperature settings to accommodate when you are home and away
- Conveniently located in an area of the home that does not fluctuate often with the opening of an exterior door
- Precise temperature control of + / 1 degree for consistent comfort
- Backlit for quick, convenient changes in temperatures at night



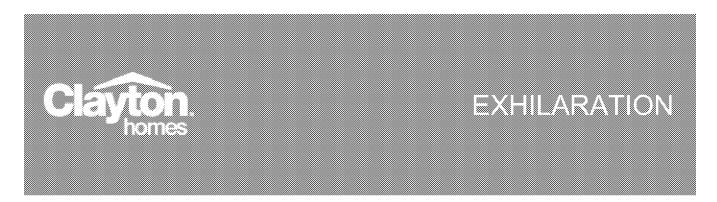














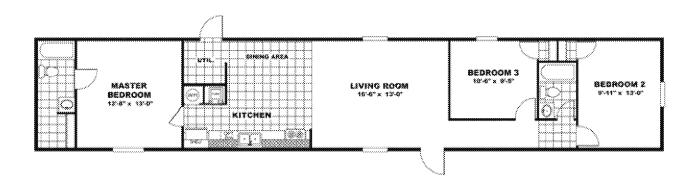






EXHILARATION Model number: 97TRU14763AH17

3 beds • 2 baths • 1064 sq.ft. • 14' width • 76' depth



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ODAYTON HOMESTCALLUS

GALLUP (1)/13/501

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- Hitch Beam: 8" Detachable Hitch

FLOOR

- Joists: 2x6 / 19.2" O.C.
- Carpet: Factory Select
- Carpet Bar: None
- Pad: 3.5 lb. (minimum) Rebond Pad
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EXTERIOR (7'-0" SIDEWALLS, 7'-0" ENDWALLS)

- Vinyl Siding: Standard
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- Shutters: None

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- Insulation: Blown Cellulose
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- Interior Wall Construction: 2x3, 24" O.C. spacing
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- Wall Coverage at Closets: 3/8" gyp, raw

INTERIOR FEATURES

- Cabinets: MDF
- Countertops (All): Formica
- Backsplash: None
- Closet Shelving: Closet Maid vinyl wrapped metal
- Utility Shelving: None
- Refrigerator: 18 CF
- Range: Electric
- Range Hood: 30", 100 cfm min, vent through sidewall
- Valance on LR windows only. No mini blinds

COLOR SCHEME - Factory Select

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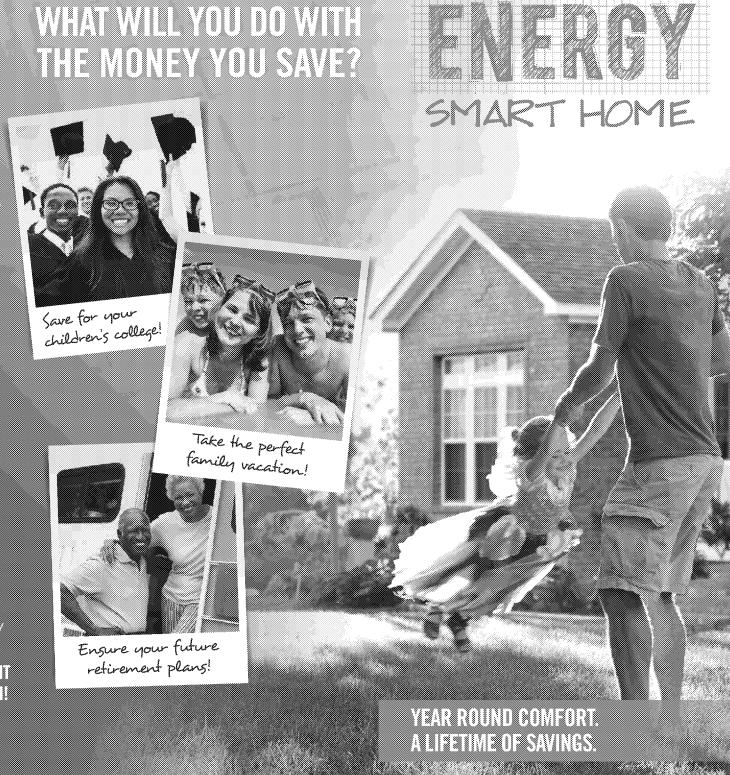
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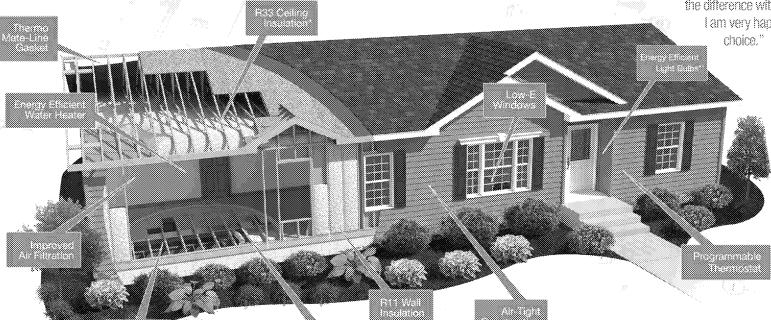
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"It has helped us save a lot of money." — Kathy N., Albertville, AL

"This is a great investment and we are enjoying every day in our new home. With money we have saved we are able to do more adventurous activities with our family." — Patricia R., Tallahassee, FL

"I have been happy with lower utility bills." -- Vivian S., Neosho, MO

Our homes have many energy efficient features that come standard with every home we build:

Thermo Mate-Line Gasket

- The mate-line gasket is installed all the way around the ceiling, end walls and floor to protect the entire conditioned space from air infiltration and moisture
- Regardless of how tight the final setup of your home is, the Mate-Line gasket will do its job because its designed to work from its original thickness of 1 ½" down to a fully compressed width of about ¾"

• Other home installers typically stuff insulation or carpet padding in the marriage line opening which won't do any good against air infiltration as it is not designed to be compressed

Air-Tight Construction

- Air-tight construction is always a top priority in all homes we build
- Joints are sealed where walls, floors, and roofs come together
- Sealed Door and window openings reduce air infiltration and dust that can enter the home from the outdoor air
- Helps to eliminate drafts which boosts comfort while lowering energy and maintenance costs



Sealed Duct Work

- Ducts are tested for expensive leakage using state-of-the-art duct blaster equipment, sealed ducts can increase heating and cooling efficiency up to 20% compared to unsealed duct work
- Consistent air flow keeps all rooms at a comfortable temperature year round
- Sealed ducts prevent condensation, keeping unwanted moisture out of the subfloor area

Energy Efficient Hot Water Heater

- This thicker side wall water heater has a higher insulation value, so it will retain more heat and use less energy
- The Dept. of Energy estimates this type of water heater will decrease energy usage in large electric water heaters by 47% and 30% in gas water heaters
- Residential water heating is often the 2nd largest energy use in the home and can account for up to 20% of overall energy consumption



Our new Energy Smart Home takes energy efficiency to a whole new level. Energy Smart Homes include these additional features:

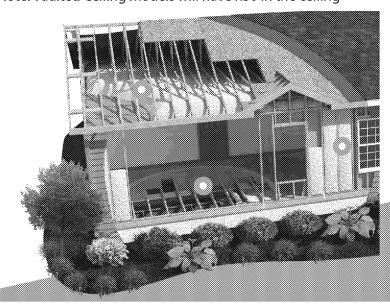
Improved Air Filtration



- The "A Coil" housing increases return air efficiency reducing the possibility of a system freeze up
- Easy to replace air filters keep the heating and cooling system running more efficiently
- Breathe cleaner, fresher air using the type of air filters that fit your family best

R33/11/22 Insulation

- An Energy Smart 3-1-2 ratio of Ceiling/Wall/Floor insulation keeps the home well insulated for all seasons
- For comparisons; typically an upgraded home has 21-11-11, or a 2-1-1 ratio of insulation. A basic, non-upgraded home starts at 14-11-11 or a 1.4-1-1 ratio
- Ceiling insulation is blown in so it covers every nook and cranny of the attic space
- Batt insulation is installed in walls so it stays tight and doesn't slip down in the wall cavity and rolled insulation is used under the subfloor
- Note: Vaulted Ceiling models will have R30 in the ceiling



CFL Light Bulbs

- Saves \$30-\$80 in electricity over the life of the bulb vs an incandescent bulb
- Uses up to 70% less energy than regular bulbs
- Lasts up to 10 to 20 times longer than regular bulbs
- Note: Some fixtures will not accept CFL bulbs, some examples are ceiling fans and appliances



Low-E Windows

- Low-E (or Low Emissive) windows can reduce up to 58% of solar heat in the summer by blocking UV rays from entering the home
- Low E windows are treated with an invisible metallic oxide coating creating a surface that reflects heat, while allowing light to pass through
- Less UV rays also means less fading of fabrics, floor coverings and furniture and reduces the work load of heating and cooling systems
- In the winter, Low-E glass reduces the amount of heat lost through your windows from inside the home

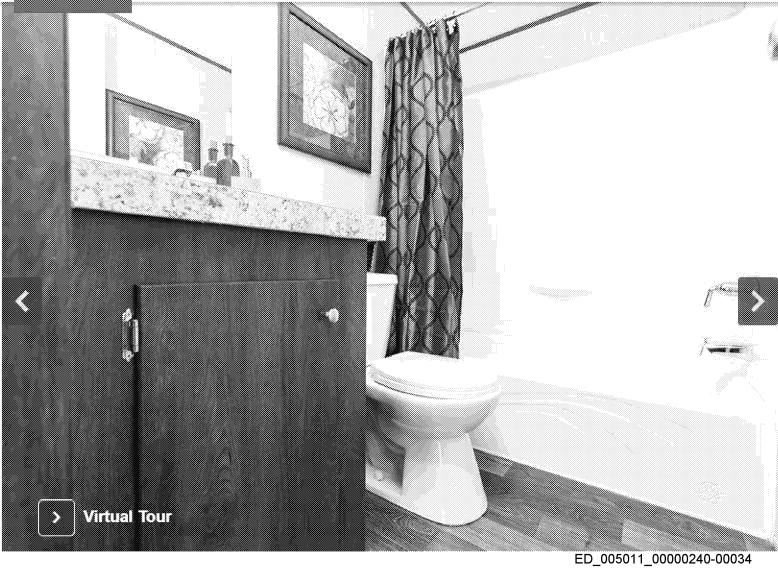
Programmable Thermostat

- Save up to \$180/yr and increase the comfort for your family as you schedule the temperature settings to accommodate when you are home and away
- Conveniently located in an area of the home that does not fluctuate often with the opening of an exterior door
- Precise temperature control of + / 1 degree for consistent comfort
- Backlit for quick, convenient changes in temperatures at night











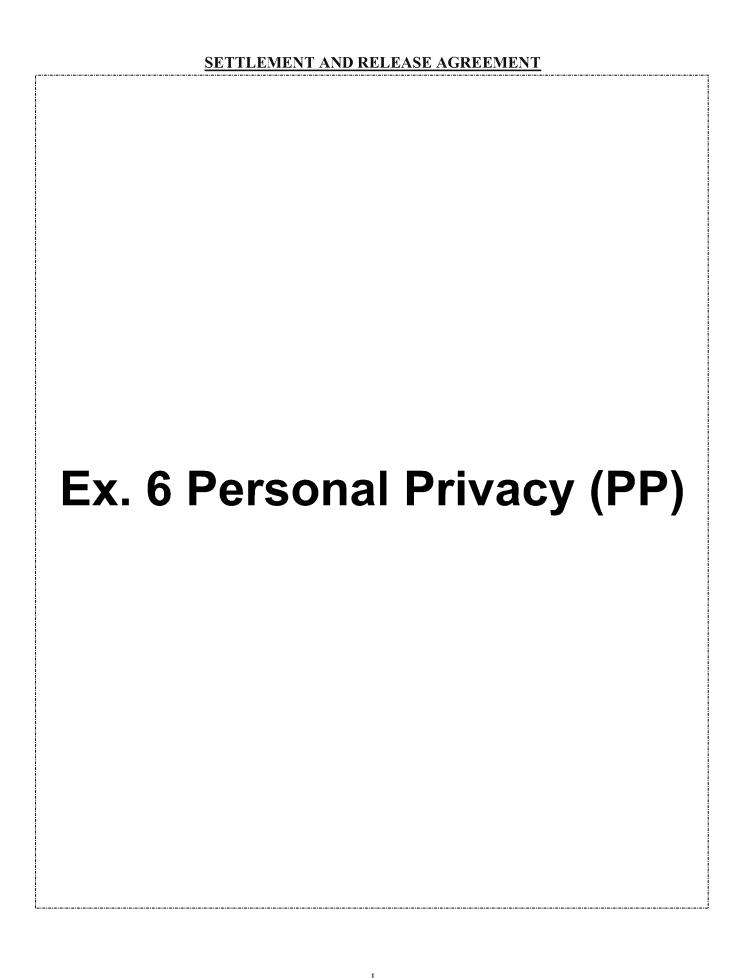


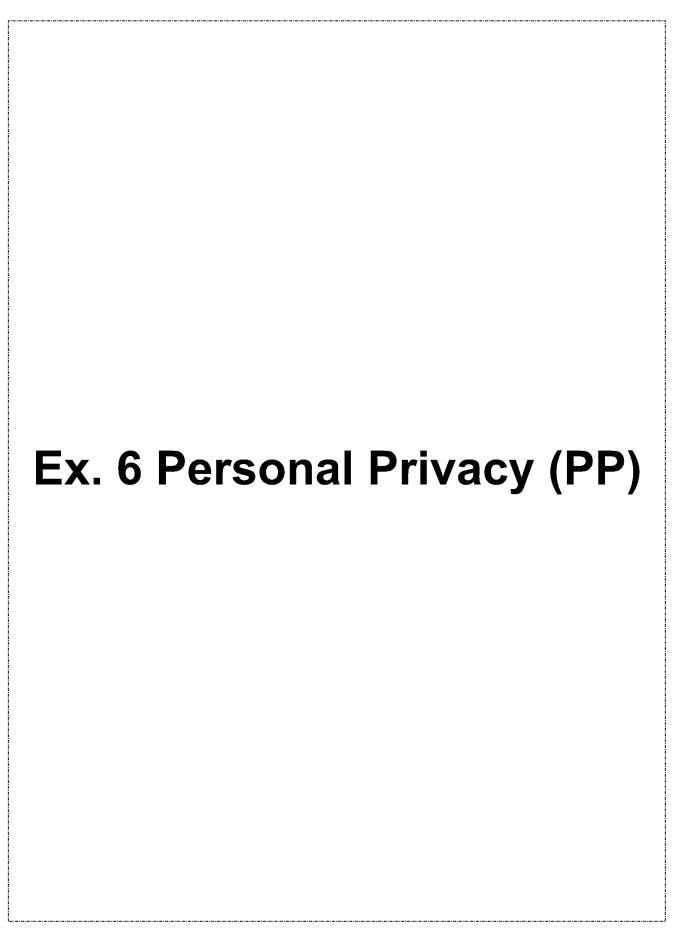


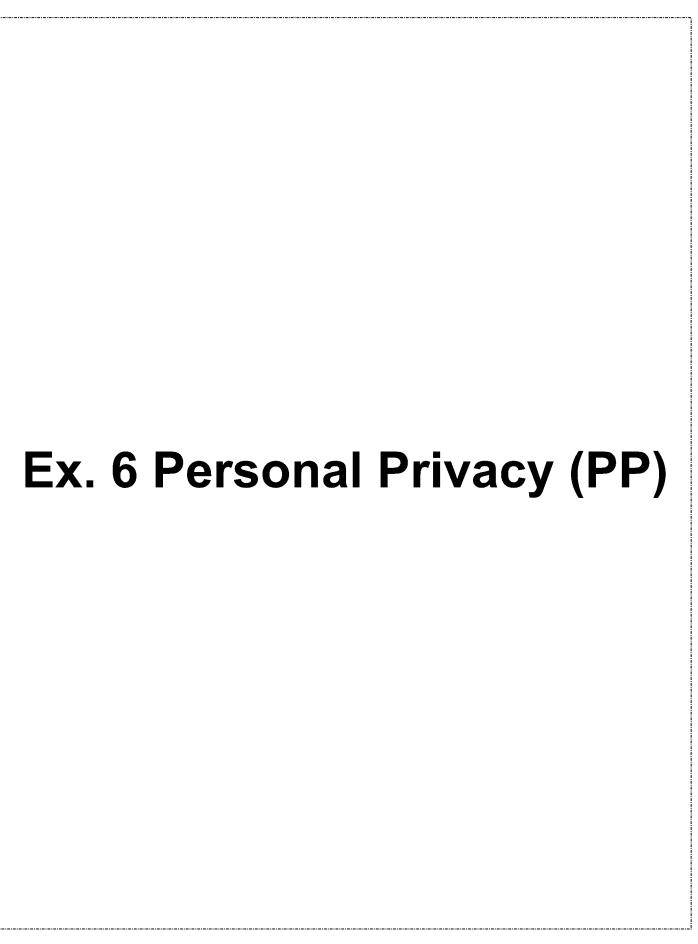


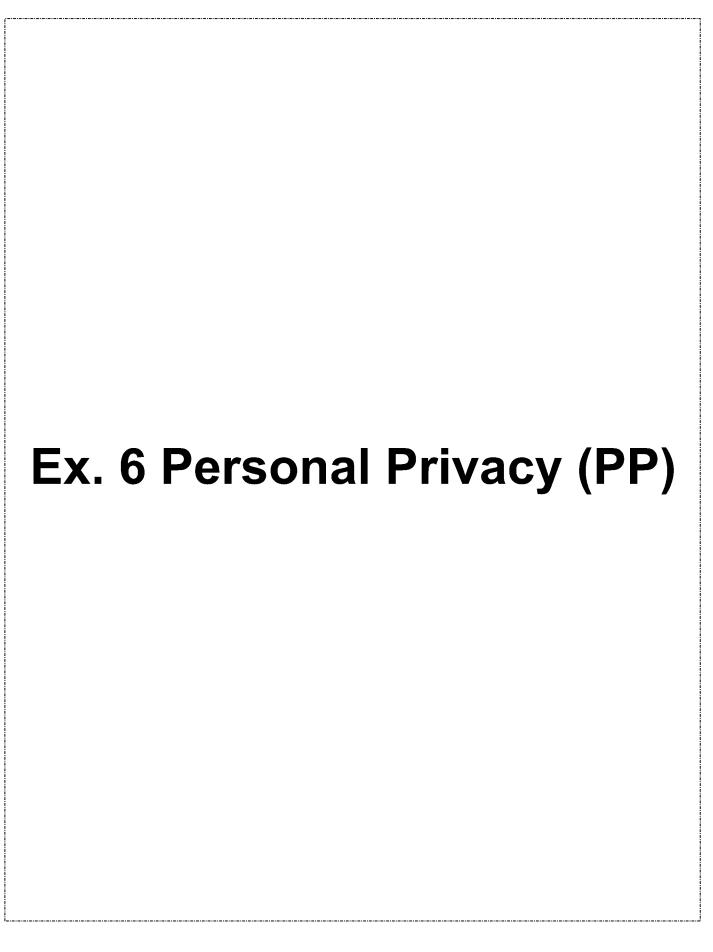
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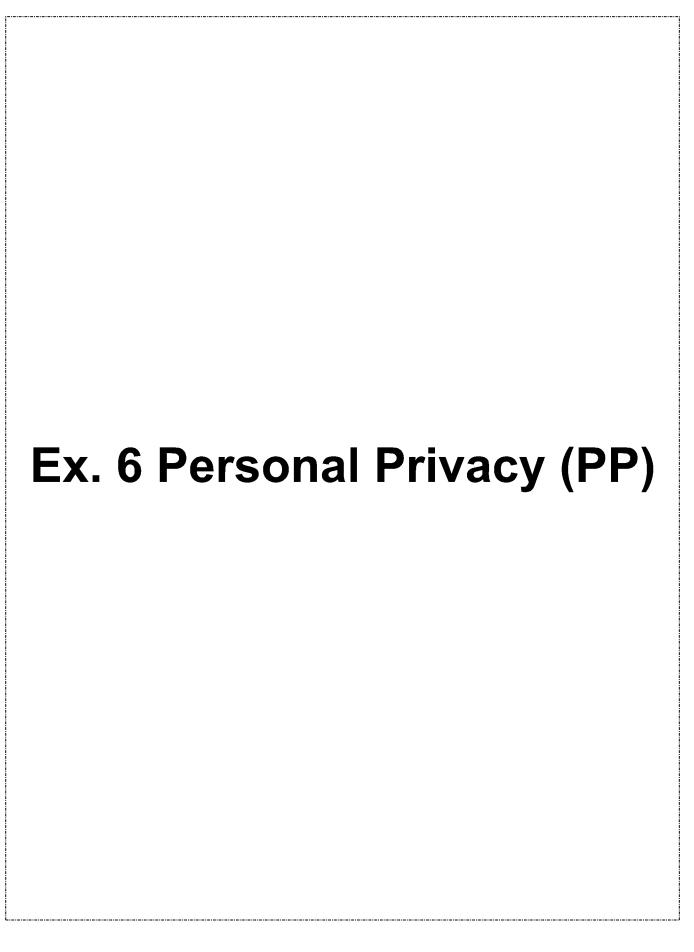
ATTACHMENT 2 Settlement and Release Agreement

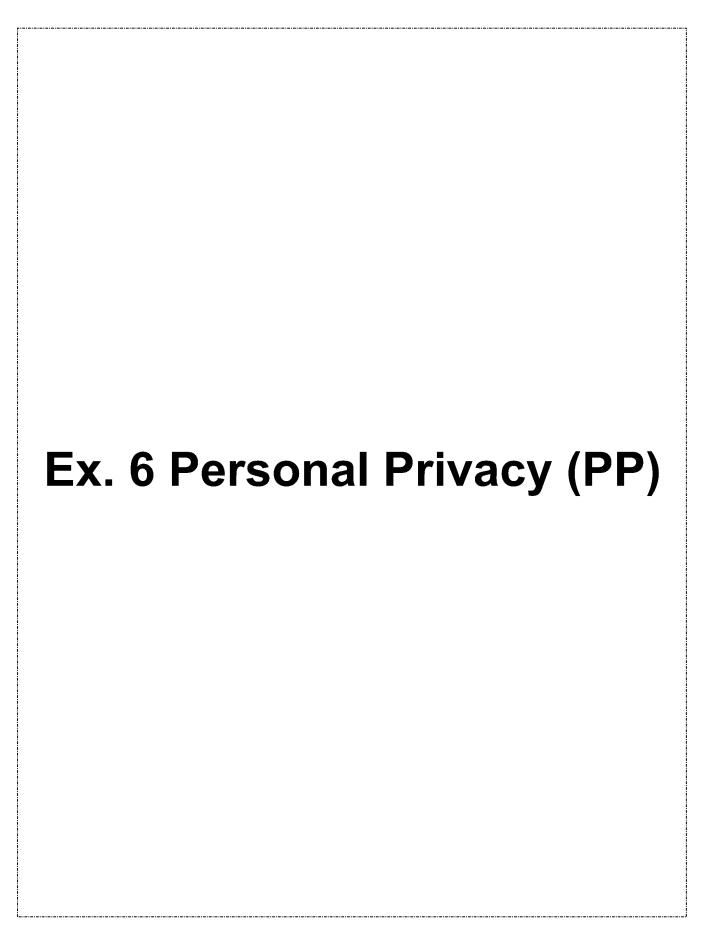


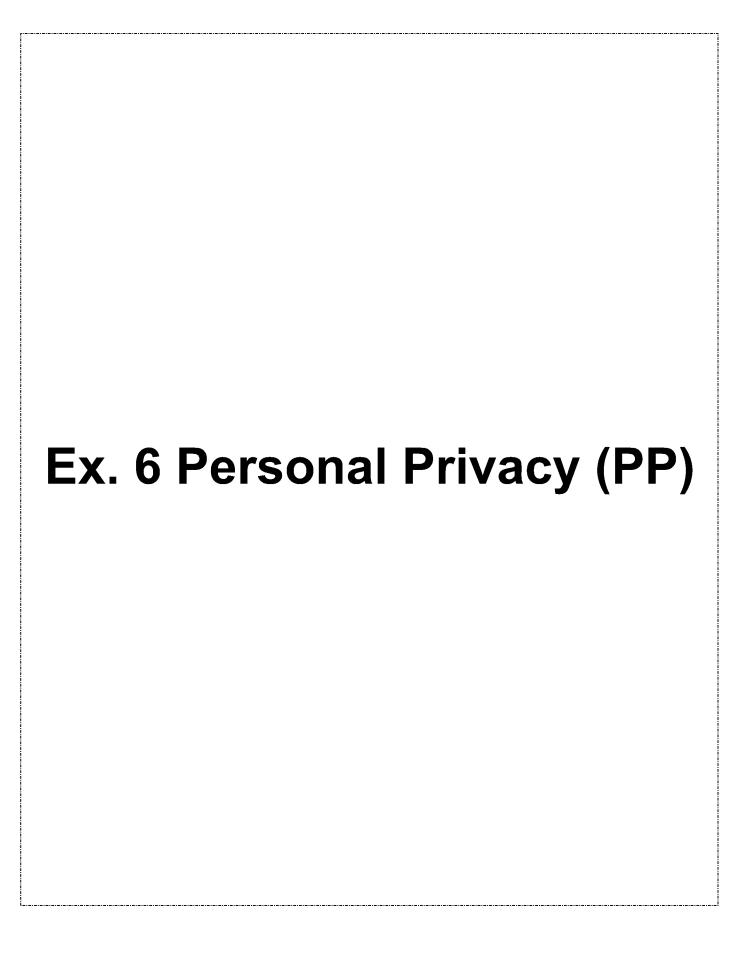


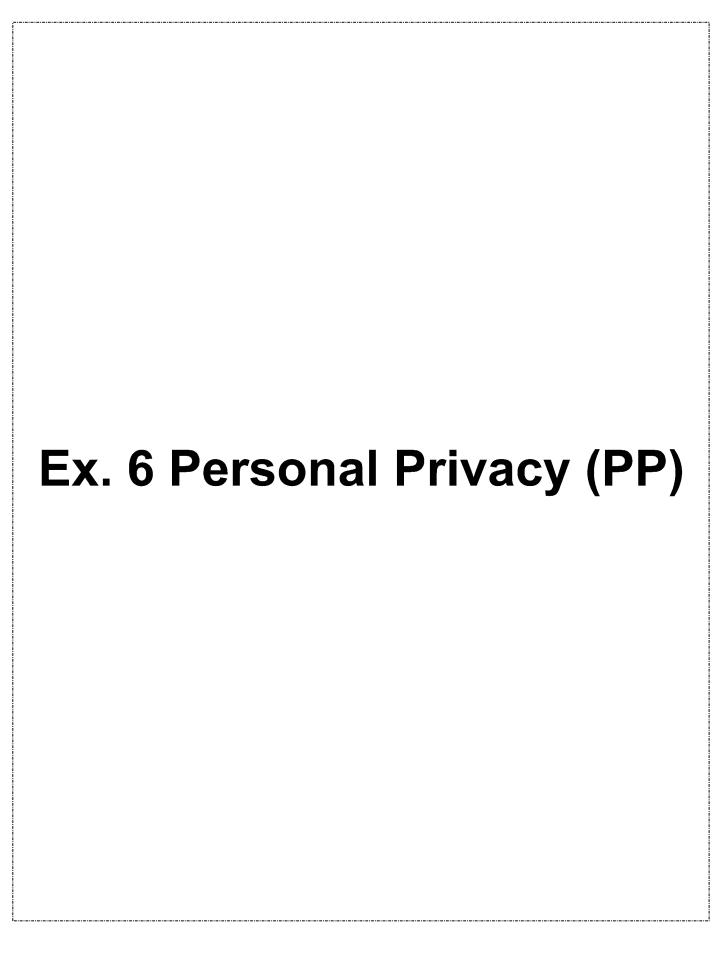


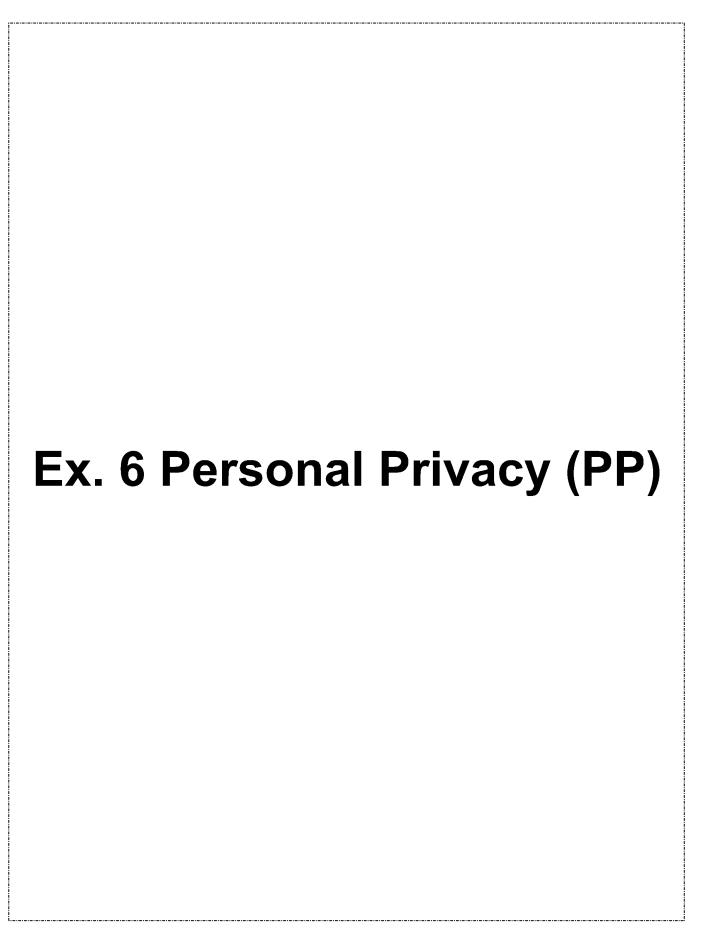


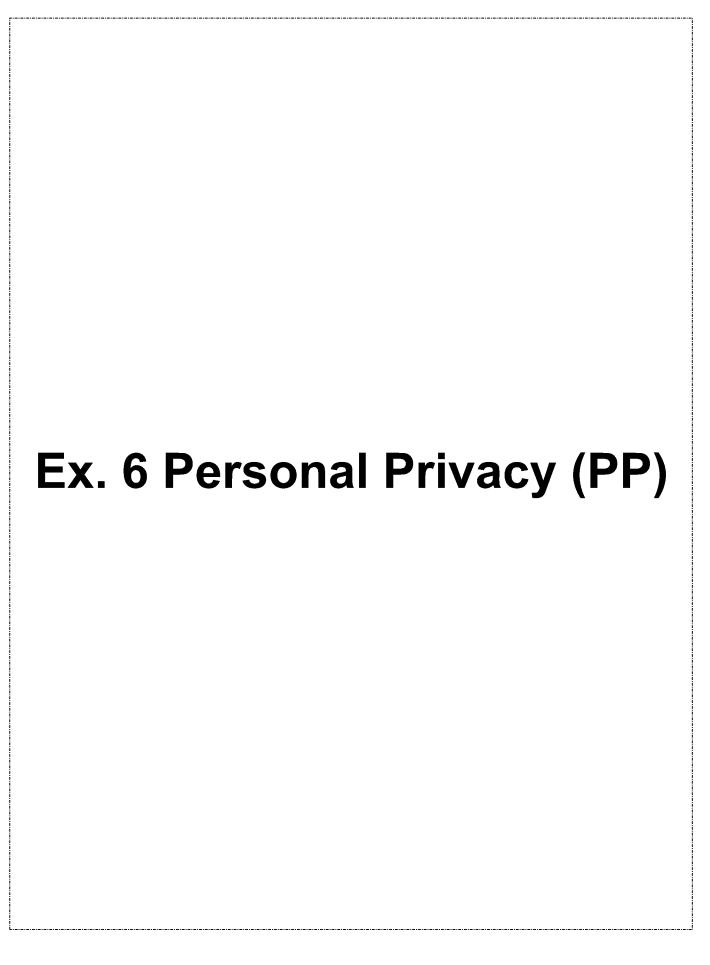












[address]

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With a copy to:

John F. Barg Barg Coffin Lewis & Trapp, LLP 600 Montgomery St., Suite 525 San Francisco, CA 94111

Ex. 6 Personal Privacy (PP)

Dated:, 2019	Ex. 6 Personal Privacy (PP)
Dated:, 2019	Ex. 6 Personal Privacy (PP)
Dated:, 2019	Ex. 6 Personal Privacy (PP)
Dated:, 2019	BNSF RAILWAY COMPANY
	By: